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JC14 PCT/PTO 15 MAY 2002 #6

Practitioner's Docket No. 55908 (46322)

PATENT  
10/868879

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Julian Schofield, et al.  
Application No.: 09/868,879

Group No.: Not yet assigned

Filed: June 22, 2001

Examiner: Not yet assigned

For: GLYCOSYL PHOSPHATIDYL INOSITOL SPECIFIC PHOSPHOLIPASE D PROTEINS  
AND USES THEREOF

Box Sequence

Assistant Commissioner for Patents  
Washington, D.C. 20231

SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents,  
Washington, D.C. 20231.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10\*

[X] with sufficient postage as first class mail.

[ ] as "Express Mail Post Office to Address"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

[ ] transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_\_.

*Patricia A. Barnes*  
Signature

Date: May 10, 2002

Patricia A. Barnes

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will



(check and complete this item, if applicable)

1. ☒ This replies to the Office Letter DATED April 3, 2002

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the application number from the return post card or the attorney's docket number added.

☒ A copy of the Office Letter is enclosed.

### IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Robert L. Buchanan  
(type or print name of person signing below)

state the following:

### ITEMS BEING SUBMITTED

3. Submitted herewith is/are:

(check each item as applicable)

- A. ☒ "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application.  
Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. Section 1.821(c) and 37 C.F.R. Sections 1.822 and 1.823.
- B. ☒ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. Section 1.821(d).
- C. ☒ A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. Sections 1.821(e) and 1.824.
- D. ☐ Please transfer to this application, in accordance with 37 C.F.R. Section 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:  
Application No.: 0 /  
Filed:  
For:

Group No.:  
Examiner:

The Computer readable form(s) of applicant's other application corresponds to the "Sequence Identifier(s)" of the application as follows:

Computer Readable Form  
(other application)

"Sequence Identifier"  
(this application)

*NOTE: "If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference may be made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified." 37 C.F.R. Section 1.821(e).*

E. ☒ A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. Section 1.821(g).

☐ Because the statement is not made by a person registered to practice before the Office, the Statement is verified as required in 37 C.F.R. Section 1.821(b).

F. ☒ Because this submission is made in fulfilling the requirement under 37 C.F.R. Section 1.821(g), a statement that the submission includes no new matter.

☐ Because the statement is not made by a person registered to practice before the Office, the statement is verified, as required in 37 C.F.R. Section 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME  
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

*(complete applicable item A and/or B)*

A. ☒ Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.

B. ☒ All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

## STATUS

5. Applicant is

☒ a small entity. A statement:

☐ is attached.

☒ was already filed.

☐ other than a small entity.

## EXTENSION OF TERM

6.

*NOTE: "Extension of Time in Patent Cases (Supplement Amendments) If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec.10, 1985 (1061 O.G. 34-35).*

*NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.*

7. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

*(complete (a) or (b) as applicable)*

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$1,440.00	\$ 720.00

Fee \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Submission-Nucleotide and/or Amino Acid Sequence--page 4 of 6)

(check and complete the next item, if applicable)

- [ ] An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b) [X] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### FEE PAYMENT

8. [ ] Attached is a check in the sum of \$ \_\_\_\_\_.

[X] Charge Account No. 04-1105 the sum of \$ 144.00 — for additional claim fees.  
A duplicate of this transmittal is attached.

#### FEE DEFICIENCY

9.

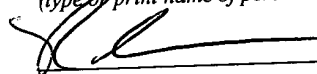
NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

10. [ ] If any additional extension and/or fee is required, charge Account No. \_\_\_\_\_.

#### SIGNATURE(s)

Robert L. Buchanan

(type or print name of person signing statement)



Signature

10 May 2002

Date

EDWARDS & ANGELL, LLP  
DIKE, BRONSTEIN, ROBERTS & CUSHMAN  
Intellectual Property Practice Group  
P. O. Box 9169  
Boston, MA 02209  
P.O. Address of Signatory

(If applicable)

Tel. No.: (617) 439-4444

Fax Nos. (617) 439-4170 / 7748

Customer No.: 21874



21874

PATENT TRADEMARK OFFICE

complete the following, if applicable)

- ☐ Inventor
- ☐ Assignee of complete interest
- ☐ Person authorized to sign on behalf of assignee
- ☒ Practitioner of record
- ☐ Filed under Rule 34(a)
- ☒ Registration No. 40,927
- ☐ Other

(specify identity of person signing)

\_\_\_\_\_  
(type name of assignee)

\_\_\_\_\_  
Address of assignee

\_\_\_\_\_  
Title of person authorized to sign on behalf of assignee

A "STATEMENT UNDER 37 C.F.R. Section 3.73(b)" is attached.

Assignment recorded in PTO on \_\_\_\_\_  
Reel \_\_\_\_\_ Frame \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

\_\_\_\_\_  
(type or print name of practitioner)

Reg. No.

Tel. No.: ( )

\_\_\_\_\_  
P.O. Address

Customer No.:



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

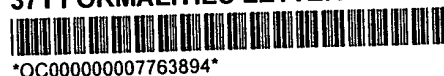
U.S. APPLICATION NUMBER NO. 09/868,879	FIRST NAMED APPLICANT Julian Schofield	ATTY. DOCKET NO. 55908(46322)
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INTERNATIONAL APPLICATION NO. PCT/GB99/04399	
I.A. FILING DATE 12/23/1999	PRIORITY DATE

 Robert L Buchanan  
 Edwards & Angell  
 PO Box 9469  
 Boston, MA 02209


CONFIRMATION NO. 9973

371 FORMALITIES LETTER



\*OC000000007763894\*

Date Mailed: 04/03/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Small Entity Statement

*U.S. Missing Parts*  
 Edwards & Angell LLP

 Dike, Bronstein, Roberts & O'Connor  
 101 Federal St. Boston, MA 02110
Date Rec'd 4/8/02Docketed For Jun 3 - Oct 3, 2002By KRD

Approved \_\_\_\_\_

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
- For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)
- Additional claim fees of **\$144** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$144** for a Small Entity:

- Total additional claim fee(s) for this application is **\$144**
  - **\$144** for **44** total claims over 20.
- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAY A L LEWIS BALTIMORE

Telephone: (703) 305-3695

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/868,879	PCT/GB99/04399	55908(46322)